REMARKS

Claims 1-15 are pending in the application. Claims 1-5 have been amended. The amendments to claims 1-5 find support throughout the specification and figures, and do not add new matter. In particular, the amendments are supported in the specification at page 13, line 22 to page 14, line 15, and figure 3.

Claims 1, 6, and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by United States Patent No. 6,101,549 to Baugher, et al. (Baugher).

Baugher is concerned with a proxy for forwarding or receiving a resource reservation protocol (RSVP) on behalf of an end-host that does not support the RSVP of the associated network.

The proxy uses a dedicated protocol for communicating with input and output edge-routers, which are to be connected with an end-host and a host. When the proxy receives a resource reservation request (RESV) from end-host, the proxy will forward an RSVP to an input edge-router. Conversely, when an output edge router receives an RSVP, it will relay the RSVP to the proxy and have the proxy compose and send back an RSVP response to the output edge-router.

The service allocating device according to claim 1, as amended, activates the function of the setting device determining section (10) and identifies a relaying router that does not respond to an RSVP. The service allocating device of the present invention next activates functions of the network information collecting section (11), service mapping section (12), and service setting section (13) and communicates with the relaying router that, while being on a route used by the input and output edge-routers,

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does not respond to the RSVP so as to have reserved a resource that is relevant to parameters specified in the RSVP and belonging to the relaying router.

The proxy (server) of Baugher, as is clear from above, has communication means only for communicating with edge-routers constituting entrance from and exit to the network and hence it does not discuss means for making a reservation of a relaying router resource.

According to Baugher, it is necessary for each network-constituting device, such as edge-routers, to be able to respond to an RSVP (resource reservation protocol) because the end-host communicates with the proxy (server) and causes the proxy to forward to an edge router the RSVP for reserving a resource.

In contrast to the device according to Baugher, a service allocating device in a network according to claim 1 is associated with a feature in which the claim 1 constituting functions, in cooperation, enable one of the end-hosts to reserve a resource belonging to another of the end-hosts even if an associated network includes a relaying router that does not respond to an RSVP.

It is therefore respectfully requested the rejection be withdrawn and claims 1, 6, and 11 be placed in condition for allowance.

Claims 3, 4, 8, 9, 13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 5,068,892 to Livanos, et al. (Livanos). However, the text of the rejection relies additionally on Baugher. Applicants respectfully request clarification of the bases for rejecting these claims.

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Levanos is concerned with a management system for accomplishing a dynamic control of communication routes within a telephone network, and represents a method for identifying a plurality of routes under a presumption that the telephone network is constituted by exchanges of which all are-provided with equivalent functions.

Because Levanos is based on this specifically presumed environment, Levanos does not teach or anticipate the present invention configuration, either by itself or in combination with Baugher. The configuration according to claim 3 for identifying and distinguishing respective routers of which some are responsive to a request from an end-host such as an RSVP and capable of reserving resources of themselves independently, while others are not responsive to such a request, rely on a management server that exercises control over the router resources is not disclosed, or even suggested by either of the cited references..

Additionally, claims 3 and 4 depend from claim 1 and are therefore allowable for at least the same reasons as claim 1 is allowable. Claims 8 and 9 depend from claim 6 and are therefore allowable for at least the same reasons as claim 6 is allowable. Claims 13 and 14 depend from claim 11 and are therefore allowable for at least the same reasons as claim 11 is allowable. It is respectfully requested the rejection be withdrawn and claims 3, 4, 8, 9, 13, and 14 be placed in condition for allowance.

Claims 2, 5, 7, 10, 12, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baugher in view of United States Patent No. 5,687,167 to Bertin, et al. (Bertin).

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Bertin is concerned with a function of a node for allocating a resource according to a priority criterion when a plurality of mutually conflicting resource requests are issued.

Bertin, similarly to either Baugher or Livanos, assumes a homogeneous network in which a network contains nodes, each being provided with an equivalent set of functions, and in which all these nodes need to be controlled by the same, single-resource, reservation method.

The present invention, in contrast, provides a network, which may be a heterogeneous network, that contains nodes that function in different resource reservation methods or in different resource control methods. The device according to claim 2 therefore identifies which nodes (routers, for example) are unable to resolve mutually conflicting requests within respective nodes, and makes available a way of exercising a control that enables to reserve resources belonging to such nodes. This configuration associated with the present invention is not taught or anticipated in Bertin or by any combination with Baugher or Livanos.

Claims 2 and 5 depend from claim 1 and are therefore allowable for at least the same reasons as claim 1 is allowable. Claims 7 and 10 depend from claim 6 and are therefore allowable for at least the same reasons as claim 6 is allowable. Claims 12 and 15 depend from claim 11 and are therefore allowable for at least the same reasons as claim 11 is allowable. It is respectfully requested the rejection be withdrawn and claims 2, 5, 7, 10, 12, and 15 be placed in condition for allowance.
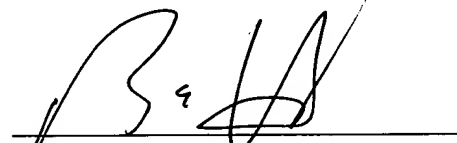
Therefore, it is respectfully submitted that the configuration for realizing the present invention features is not disclosed or suggested by the cited references.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

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